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TO THE UNITED STATES PATENT OFFICE**

Applicants Docket Number:
USA V2003/0110US NP

Applicants:
Tahir N. Majid et al

Serial No.
10/613,588

Filing Date:
July 3, 2003

Title of Invention:
Pyrazoloisoquinolines as Kinase Inhibitors for the Treatment of Various Disorders

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Office of Petitions, at 703-872-9306, on
Date of Deposit August 6, 2004
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Signature Bonnie Stein

Total Number of Pages Sent: 5

Attorney: Balaram Gupta

Group Art Unit:
Examiner:

TO: Mail Stop Office of Petitions
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Alexandria, VA 22313-1450

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<u>pgs.</u> |
| <input type="checkbox"/> Extension of Time Petition | <input checked="" type="checkbox"/> Other <u>Exhibit A</u> |
| <input type="checkbox"/> Issue Fee Transmittal & Advance Order | <input type="checkbox"/> Other _____ |
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Aventis Pharmaceuticals Inc., Route 202-206, P.O. Box 6800, Bridgewater, New Jersey 08807, U.S.A. www.aventis.com
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Aventis Pharmaceuticals Inc. template (March 2001)

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NO. 6161 P. 2

OFFICIAL

AUG 6 2004

PATENT

Docket No.: USAV2003/0110 US NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Tahir N. Majid et al.

Examiner: Not yet assigned

Art Unit: Not yet assigned

Serial No.: 10/613,588

Filed: July 03, 2003

Title: PYRAZOLOISOQUINOLINES AS
KINASE INHIBITORS FOR THE
TREATMENT OF VARIOUS
DISORDERS

TELEFAX CERTIFICATE

I hereby certify that this correspondence is being
transmitted via facsimile to the Attn: Office of
Petitions, (703) 872-9306, Commissioner for Patents,
Alexandria, VA 22313, on

August 6, 2004

Date of Transmission

Signature *Bonnie Stein*

**RENEWED PETITION UNDER 37 C.F.R. § 1.10 TO
CORRECT FILING DATE OF NONPROVISIONAL
APPLICATION**

To the Attention of Senior Petitions Attorney Christina Tartera Donnell

Attn: Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RENEWED PETITION

Applicants respectfully re-petition to correct the filing date accorded by the USPTO in the above-identified patent application from July 5, 2003 to July 3, 2003 for the reasons set forth below.

STATEMENT OF THE FACTS

Pursuant to 37 C.F.R. § 1.181(b), Applicants had petitioned on October 10, 2003 to correct the filing date accorded by the USPTO in the above identified application which was dismissed by the Office on June 22, 2004 because of the fact that Office alleged that Applicants failed to produce direct evidence. Briefly, Applicants although indirectly established that the above noted application was deposited with the US postal service (USPS) on July 3, 2003 by "Express Mail" bearing the label No. EL816576588US, Applicants were unable to produce direct evidence to that effect. Now, Applicants respectfully submit concurrently herewith such direct evidence, which clearly shows that the instant application was indeed deposited with the USPS bearing the above noted Express mail label on July 3,

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2003. As evidenced from the enclosed Exhibit A entitled "Track/Confirm - Intranet Item Inquiry - Domestic," the USPS at Edison, NJ accepted an item bearing the Express mail label No. EL816576588US on July 3, 2003 at 15:00 hours. Thus it is submitted that this unequivocally satisfies the requirements of 37 CFR 1.10(a)(1), which reads as follows:

"Any correspondence received by the U.S. Patent and Trademark Office (USPTO) that was delivered by the "Express Mail Post Office to Addressee" service of the United States Postal Service (USPS) will be considered filed with the USPTO on the date of deposit with the USPS, except for documents described in the following paragraphs (a)(1)(i) and (ii) of this section:" (emphasis added).

Further, the Office provides certain remedies in situations where there is a discrepancy as to the exact date of deposit of Express Mail under 37 CFR 1.10(c), which states that:

"Any person filing correspondence under this section that was received by the Office and delivered by the "Express Mail Post Office to Addressee" service of the USPS, who can show that there is a discrepancy between the filing date accorded by the Office to the correspondence and the date of deposit as shown by the "date-in" on the "Express Mail" mailing label or other official USPS notation, may petition the Commissioner to accord the correspondence a filing date as of the "date in" on the "Express Mail" mailing label or other official USPS notation, provided that:

- (1) The petition is filed promptly after the person becomes aware that the Office has accorded, or will accord, a filing date other than the USPS deposit date;
- (2) The number of the "Express Mail" mailing label was placed on the paper(s) or fee(s) that constitute the correspondence prior to the original mailing by "Express Mail;" and
- (3) The petition includes a true copy of the "Express Mail" mailing label showing the "date-in," and of any other official notation by the USPS relied upon to show the date of deposit." (emphasis added)

In response to Applicants' petition of October 10, 2003, Office noted that petitioner failed to provide any other official notation by the USPS to show the date of deposit as July 3, 2003 since the "date-in" on the "Express Mail" mailing label No. EL816576588US is blank. As noted above, Applicants have now fully complied with the requirement of item (3) by submitting concurrently herewith "Exhibit A," which clearly establishes that the instant application was deposited at the USPS in Edison, NJ on July 3, 2003 at 15:00 hours using a "Express Mail Post Office to Addressee" service bearing the mailing label No. EL816576588US.

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POINTS TO BE REVIEWED

From the foregoing, it is respectfully submitted that Applicants have fully complied with all of the provisions in accordance with 37 C.F.R. §§ 1.10(a)(1) & 1.10(c).

ACTION REQUESTED

Applicants respectfully request the Commissioner to correct the filing date in the instant application and accord the filing date of July 03, 2003.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. 1.17(i) which may be required by this paper or credit any overpayment to **Deposit Account No. 18-1982** for Aventis Pharmaceuticals, Inc., Bridgewater, NJ. Please credit any overpayment to **Deposit Account No. 18-1982**. A duplicate copy of this transmittal letter is enclosed for accounting purposes.

Respectfully submitted,

August 6, 2004

Balaram Gupta

Balaram Gupta, Reg. No. 40,009
Attorney/Agent for Applicant

Enclosures: Exhibits A (1 page)

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